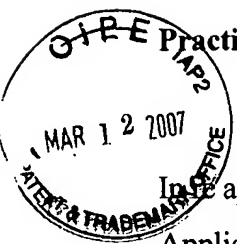


*FW*  
*10/26/04*

PATENT



Practitioner's Docket No. 007193-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Collier et al.

Application No.: 10/826,448

Group No.: 1645

Filed: April 6, 2004

Examiner: Standley, Steven

For: DIFFERENTIALLY EXPRESSED GENES WITH OBESITY AND TYPE 2 DIABETES

**Mail Stop Amendment**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL OF SUPPLEMENTEAL INFORMATION DISCLOSURE  
STATEMENT AFTER MAILING OF A FIRST OFFICE ACTION AND BEFORE  
MAILING OF A FINAL OFFICE ACTION (37 C.F.R. Section 1.97(d))**

Dear Sir:

This Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. 37 C.F.R. §1.97(d).

Enclosed are Form 1449 and 33 foreign and non-patent references. Applicants respectfully request that each of the cited information be expressly considered during the prosecution of this application and that the cited references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached. Copies of U.S. patent references are not enclosed per 37 CFR §1.98(a)(2)(ii).

**CERTIFICATE OF MAILING**

I hereby certify that, on the date shown below, this correspondence, along with any document stated as being enclosed, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Assistant Commissioner for Patents, Washington, DC 20231.

Date:

3-7-07

Greg McCallum

03/13/2007 WSAFAW1 00000080 10826448

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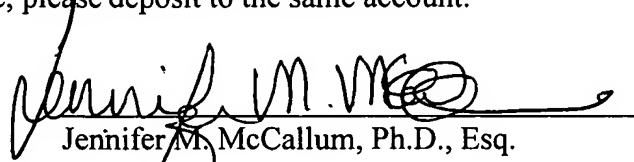
(Transmittal of Information Disclosure Statement page 1 of 2)

## FEES

In payment of the fee under 37 C.F.R. § 1.17(p), attached is a credit card payment form authorizing a charge of \$180.00. If any further fees are due, please charge such fees to Deposit Account No. 502679. If any credits are due, please deposit to the same account.

Date:

3/7/07

  
Jennifer M. McCallum, Ph.D., Esq.

Reg. No.: 52,492

Tel. No.: 303-828-0655

Fax No.: 303-828-2938

Customer No.: 36234

Substitute for form 1449/PTO

**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/826,448
Filing Date	04/16/2004
First Named Inventor	Greg Collier
Art Unit	1645
Examiner Name	Unknown
Attorney Docket Number	007193-04

**U.S. Patent Documents**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	4,016,043	04-05-1977	Schuur et al.	
	2	4,018,653	04-19-1977	Mennen	
	3	4,424,279	01-03-1984	Bohn et al.	

**Foreign Patent Documents**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	4	WO 01/75067	10-11-2001	Hyseq, Inc.	

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher, city and/or county where published.	T <sup>2</sup>
	5	Altschul et al., <i>Nucl. Acids Res.</i> 25: 3389-3402, 1997.	
	6	Australian Institute of Health and Welfare (AIHW), Heart, Stroke and Vascular diseases, Australian facts. AIHW Cat. No. CVD 7 Canberra: AIHW and the Heart Foundation of Australia, 1999.	
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Examiner  
SignatureDate  
Considered

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)	<b>Complete if Known</b>	
	Application Number	10/826,448
	Filing Date	04/16/2004
	First Named Inventor	Greg Collier
	Art Unit	1645
	Examiner Name	Unknown
Sheet 2 of 3	Attorney Docket Number	007193-04

NON PATENT LITERATURE DOCUMENTS			
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	14	de Looper, M. et al., Australia's Health Trends 2001. Australian Institute of Health and Welfare (AIHW) Cat. No. PHE 24. Canberra: AIHW, 2001.	
	15	EMBL Acc: AL136561 , 10 March 2001, Ottenwaelder et al.: "Homosapiens mRNA; cDNA DKFZp761D221," XP002346390.	
	16	EMBL Acc: AY003913 Phytophthora infestans isolate 94-1 NADH dehydrogenase subunit 4 pseudogene, partial sequence, 14 September 2000	
	17	EMBL Acc: BC017596, 05 December 2001, Strausberg et al.: "Mus musculus SH3-domain GRB2-like (endophilin) interacting protein 1, mRNA," XP-002346392.	
	18	EMBL Acc: SDY13671, Sulfospirillum deleyianum 16S rRNA gene, partial 29 October 1997	
	19	GSN: ABG29261, 18 February 2002 Drmanac et al.: "Novel human diagnostic protein #29252," XP002346391.	
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	27	Mokdad et al., <i>Diabetes Care</i> 24(2): 412, 2001.	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)	<b>Complete if Known</b>	
	Application Number	10/826,448
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	First Named Inventor	Greg Collier
	Art Unit	1645
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Sheet 3 of 3	Attorney Docket Number	007193-04

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher, city and/or county where published.	T <sup>2</sup>
	28	Must et al., <i>JAMA</i> 282(16): 1523-1529, 1999	
	29	National Health and Medical Research Council (Canberra), Acting on Australia's weight: A strategy for the prevention of overweight and obesity. 1996.	
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	32	Shafrir et al., <i>J. Basic Clin. Physiol. Pharm.</i> 4: 83-99, 1993.	
	33	Stellar, <i>Psychol. Rev.</i> 61(1): 5-22, 1954.	
	34	Walder et al., <i>Obesity Res.</i> 5(3): 193-200, 1997.	
	35	Wolf et al., <i>Obesity Res.</i> 6(2): 97-106, 1998	
	36	Zimmet, <i>Diabetes Care</i> 15(2): 232-252, 1992.	

Examiner Signature		Date Considered	
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